

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document # **73**

USCA NO. \_\_\_\_\_

SDNY NO. 03cv7045

JUDGE: HB

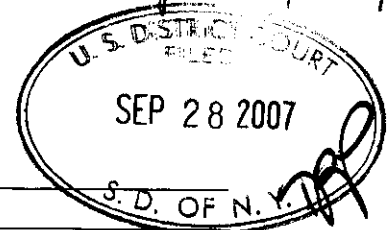
DATE: Sept. 28, 2007

S.E.C.

-v-

Brightpoint, Inc. et al  
(TIMOTHY HARCHARIK)

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME) THOMAS PISARCZYK  
FIRM APPEALS SECTION  
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DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

**\*\* ONLY CIRCLED DOCUMENTS ARE INCLUDED \*\***

**\*\* ALL OTHERS MISSING AT THIS TIME \*\***

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 28th Day of Sept., 2006.

United States District Court for  
the Southern District of New York

Date: Sept. 28, 2007

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 03cv 7045

D.C. JUDGE HB

SEC

-v-

Brightpoint, Inc. et al

(TIMOTHY HARCHANIK)

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 72, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

**Date Filed**

**Document Description**

**BALANCE OF FILE MISSING AT THIS TIME**

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 28th Day of Sept. In this year of our Lord, Two Thousand and Six, and the Independence of the United States this 232<sup>nd</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

Deputy Clerk

APPEAL, CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:03-cv-07045-HB**  
**Internal Use Only**

Sec. & Exch. Comm. v. Brightpoint, Inc., et al  
Assigned to: Judge Harold Baer  
Demand: \$0  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 09/21/2007  
Date Terminated: 07/06/2007  
Jury Demand: Defendant  
Nature of Suit: 850 Securities/Commodities  
Jurisdiction: U.S. Government Plaintiff

Date Filed	#	Docket Text
09/11/2003	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). (laq) (Entered: 09/12/2003)
09/11/2003		Magistrate Judge Ronald M. Ellis is so designated. (laq) (Entered: 09/12/2003)
09/24/2003	2	FINAL JUDGMENT AS TO BRIGHTPOINT, INC ON CONSENT: Brightpoint shall pay a civil penalty in the amount of \$450,000 pursuant to Section 20(d)(1) of the Securities Act of 1933, 15 USC 77t(d)(1), and Section 21(d)(3) of the Exchange Act, 15 USC 78u(d)(3) as set forth in this document. That, there being no just reason for delay, the Clerk of this Court is hereby directed to enter this Final Judgment forthwith pursuant to Rule 54(b) of the FRCP. ( signed by Judge Harold Baer Jr. ) Entered On Docket: 9/27/03. (kw) (Entered: 09/27/2003)
09/24/2003	3	FINAL JUDGMENT AS TO AMERICAN INTERNATIONAL GROUP, INC. ON CONSENT: American International Group, Inc. shall pay a civil penalty in the amount of \$10,000,000 pursuant to Section 21(d)(3) of the Exchange Act, 15 USC 78u(d)(3) as set forth in this document. That, there being no just reason for delay, the Clerk of this Court is hereby directed to enter this Final Judgment forthwith pursuant to Rule 54(b) of the FRCP. ( signed by Judge Harold Baer Jr. ) Entered On Docket: 9/27/03. (kw) Modified on 09/27/2003 (Entered: 09/27/2003)
09/24/2003	4	FINAL JUDGMENT AS TO PHILLIP BOUNSALL ON CONSENT: Phillip Bounsall shall pay a civil penalty in the amount of \$45,000 pursuant to Section 21(d) of the Exchange Act, 15 USC 78u(d)(3) as set forth in this document. That, there being no just reason for delay, the Clerk of this Court is hereby directed to enter this Final Judgment forthwith pursuant to Rule 54(b) of the FRCP. ( signed by Judge Harold Baer Jr. ) Entered On Docket: 9/27/03. (kw) (Entered: 09/27/2003)
09/24/2003	5	FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AS TO JOHN DELANEY CONSENT as set forth in this document. John Delaney shall pay a civil penalty in the amount of \$100,000 pursuant to Section 20(d)(1) of the Securities Act of 1933, 15 USC 77t(d)(1), and Section 21(d)(3) of the Exchange Act, 15 USC 78u(d)(3) as set forth in this document. That, there being no just reason for delay, pursuant to Rule 54(b) of the FRCP, the Clerk is ordered to enter this Final Final Judgment and without further notice. ( signed by Judge Harold Baer Jr. ) Entered On Docket: 9/27/03. (kw) (Entered: 09/27/2003)
10/23/2003	6	STIPULATION and ORDER; reset answer to the complaint due for 12/15/03 for Timothy Harcharik . ( signed by Judge Harold Baer Jr. ) (pl) (Entered: 10/24/2003)
12/09/2003	7	NOTICE of Appearance by Christopher B. Weldon on behalf of Timothy Harcharik (sac, ) (Entered: 12/29/2003)
12/12/2003	8	STIPULATION AND ORDER; that the time for deft Timothy Harcharik to answer or move with respect to the compalint is extended to and including 1/15/2004. (Signed by Judge Harold Baer on 12/13/2003) (Pecorino, Joseph) (Entered: 12/31/2003)
12/12/2003		Set Answer Due Date purs. to [8] Stipulation and Order as to Timothy Harcharik answer due on 1/15/2004. (Pecorino, Joseph) (Entered: 12/31/2003)
01/27/2004	9	STIPULATION AND ORDER; that defendant Timothy Harcharik's time to respond to the complaint shall be extended until 2/16/2004. (Signed by Judge Harold Baer on 1/23/2004) (kkc, ) (Entered: 02/02/2004)
01/27/2004		Set Answer Due Date purs. to [9] Stipulation and Order as to Timothy Harcharik answer due on 2/16/2004. (kkc, ) (Entered: 02/02/2004)
03/10/2004	10	STIPULATION AND ORDER, that Defendant Timothy Harcharik's time to respond to the complaint shall be extended until 4/16/04. (Signed by Judge Harold Baer on 3/9/04) (dfe, ) (Entered: 03/12/2004)
03/10/2004		Set Answer Due Date purs. to [10] Stipulation and Order as to Timothy Harcharik answer due on 4/16/2004. (dfe, ) (Entered: 03/12/2004)
05/25/2004	11	STIPULATION AND ORDER that dft Timothy Harcharik's time to respond to the complaint shall be extended until 7/16/04. (Signed by Judge Harold Baer on 5/21/04) (dle, ) (Entered: 05/26/2004)
05/25/2004		Set Answer Due Date purs. to [11] Stipulation and Order as to Timothy Harcharik answer due on 7/16/2004. (dle, ) (Entered: 05/26/2004)
07/08/2004	12	STIPULATION AND ORDER; that the time for deft Timothy Harcharik's time to respond to the complaint in this action is extended to and including 9/16/2004. (Signed by Judge Harold Baer on 7/7/2004) (jp, ) (Entered: 07/12/2004)
07/08/2004		Set Answer Due Date purs. to [12] Stipulation and Order as to Timothy Harcharik answer due on 9/16/2004. (jp, ) (Entered: 07/12/2004)

09/28/2004	13	STIPULATION AND ORDER that defendant Timothy Harcharik's time to respond to the complaint shall be extended until 11/16/04. So Ordered. (Signed by Judge Harold Baer on 9/27/04) (jco, ) (Entered: 10/01/2004)
12/01/2004	14	STIPULATION AND ORDER that the defendant Timothy Harcharik's time to respond to the complaint shall be extended until 1/16/2005. (Signed by Judge Harold Baer on 11/30/2004) (jsa, ) (Entered: 12/02/2004)
12/01/2004		Set Answer Due Date purs. to [14] Stipulation and Order as to Timothy Harcharik answer due on 1/16/2005. (jsa, ) (Entered: 12/02/2004)
02/02/2005	15	STIPULATION AND ORDER submitted to the Court to extend defendant Timothy Harcharik's time to respond to the complaint until 3/16/2005 is DENIED. (Signed by Judge Harold Baer on 2/2/2005) (jsa, ) (Entered: 02/07/2005)
02/03/2005	16	LETTER addressed to Counsel of Record from Lisha Brown dated 2/3/2005 re: Pretrial conference set for 4/7/2005. (jp, ) (Entered: 02/08/2005)
03/10/2005	17	NOTICE of Appearance by Ken Christian Joseph on behalf of Securities and Exchange Commission (ae, ) (Entered: 03/15/2005)
03/10/2005	18	NOTICE of Appearance by Eva M. Saketkoo on behalf of Securities and Exchange Commission (ae, ) (Entered: 03/15/2005)
04/06/2005	19	ENDORSED LETTER addressed to Judge Baer from Christopher R. Weldon, Esq dated 4/4/05 re: counsel requests an adjournment of pretrial conference; You may do this by phone or preferable be here on April 28 at 2 p.m. Call chambers to confirm one or the other. (Signed by Judge Harold Baer on 4/5/05) (dj, ) (Entered: 04/08/2005)
04/12/2005	20	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION for Leave to Appear To Argue a Particular Case. Document filed by United States Attorney's Office, Southern District of Indiana. (Attachments: # 1 Certificate of Good Standing)(Ong, Winfield) Modified on 4/14/2005 (kg). (Entered: 04/12/2005)
04/12/2005	21	FILING ERROR- ELECTRONIC FILING IN NON-ECF CASE - MOTION to Intervene., MOTION to Stay Discovery. Document filed by United States Attorney's Office, Southern District of Indiana. (Ong, Winfield) Modified on 4/14/2005 (kg). (Entered: 04/12/2005)
04/12/2005	22	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - BRIEF re: 21 MOTION to Intervene. MOTION to Stay Discovery. Document filed by United States Attorney's Office, Southern District of Indiana.(Ong, Winfield) Modified on 4/14/2005 (kg). (Entered: 04/12/2005)
04/14/2005		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Winfield Ong to MANUALLY RE-FILE Document Motion to Argue, Motion to Intervene and Memorandum of Law in Support, Document No. 20-22. This case is not ECF. (kg) (Entered: 04/14/2005)
04/19/2005	ELF 23	NOTICE of Appearance by Valerie Ann Szczepanik on behalf of Securities and Exchange Commission (Szczepanik, Valerie) (Entered: 04/19/2005)
04/19/2005	ELF 24	NOTICE of Change of Address by Valerie Ann Szczepanik on behalf of Securities and Exchange Commission. New Address: Securities and Exchange Commission, Northeast Regional Office, 3 World Financial Center - Room 4300, New York, New York, USA 10281-1022, (212) 336-0175. (Szczepanik, Valerie) (Entered: 04/19/2005)
04/26/2005	25	ENDORSED LETTER addressed to Judge Baer from Christopher B. Weldon dated 4/19/05 re:.. counsel requests forty-five days from the date of proper service of the motions in order to respond to them. I received no copy of the letter referred to in the last paragraph of your letter. I will assume proper service has not been made and adjourned 30 days to May 19 at 3 p.m. If service has not been made, have the Asst. U.S. Attorney call chambers and explain. (Signed by Judge Harold Baer on 4/2/05) (dj, ) (Entered: 04/28/2005)
04/28/2005	28	ANSWER to Complaint with JURY DEMAND. Document filed by Timothy Harcharik.(jp, ) (Entered: 05/04/2005)
04/29/2005	26	PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 6/30/2005. Joinder of Parties due by 6/30/2005. Motions due by 9/16/2005. Discovery due by 9/15/2005. Pretrial Order due by 10/21/2005. Additional deadlines are as set forth in this Order. (Signed by Judge Harold Baer on 4/28/05) (pl, ) (Entered: 05/03/2005)
04/29/2005	27	NOTICE of Appearance by Valerie Ann Szczepanik on behalf of Securities and Exchange Commission (cd, ) (Entered: 05/04/2005)
05/04/2005	29	ORDER. On or before Friday, 5/6/2005, defendant, Timothy Harcharik, submit a letter of consent, or file a brief in opposition, to the U.S. Attorney's motion to intervene and/or stay discovery. If defendant opposes the motion to stay discovery or intervene, the U.S. Attorney shall file a reply, if necessary, on or before Friday, 5/13/2005. This Order does not change the Pretrial Scheduling Order (Signed by Judge Harold Baer on 5/3/05) (yv, ) (Entered: 05/05/2005)
05/05/2005	30	ENDORSED LETTER addressed to Judge Harold Baer, Jr. from Robert J. Grande dated 5/4/05 re: Counsel writes to request that the deadline to oppose the motion for stay be extended to 5/28/05. If you wish a 5-day extension to 5/11/05, that's fine but be sure to communicate your letter by that date. (Signed by Judge Harold Baer on 5/4/05) (jco, ) (Entered: 05/06/2005)
05/05/2005	31	MOTION (FILED ON SERVICE DATE) to Intervene for the limited purpose of seeking a stay of discovery. Document filed by United States Attorney's Office, Southern District of Indiana. (cd, ) (Entered: 05/10/2005)
05/05/2005	32	MEMORANDUM OF LAW in Support re: [31] MOTION (FILED ON SERVICE DATE) to Intervene.. Document filed by United States Attorney's Office, Southern District of Indiana. (cd, ) (Entered: 05/10/2005)
05/12/2005	33	ORDER: this case is placed on my Suspense Calendar for six (6) months and failing any communications from counsel on or before 11/10/05 the matter will be dismissed. (Signed by Judge Harold Baer on 5/10/05) (db, ) (Entered: 05/13/2005)

05/13/2005	34	ENDORSED LETTER addressed to Judge Harold Baer, Jr. from Valerie A. Szczepanik dated 5/12/05 re: Let us try not to make this preliminary skirmish into a major case. I have no opposition to the motion to intervene and so I assumed it was consented to. As to discovery, my view is Rule 26 discovery is sufficiently innocuous to let it go forward but again nobody mentioned it in the material I had before me when I penned my order of yesterday, coupled with the AUSA having either forgotten or misunderstood our conference date and time, there is just too much miscommunication and I'm not the coordinator of your litigation. If together with all your "several parties" and arrange a conference call. Do it, otherwise my order will prevail. (Signed by Judge Harold Baer on 5/12/05) (sac, ) (Entered: 05/16/2005)
11/02/2005	35	ENDORSED LETTER addressed to Judge Harold Baer from Eva Saketkoo dated 10/31/05 re: This is not going to remain on my docket forever and I can't direct the U.S. Attorney in Indiana to try the case so I will keep on suspense for the balance of the year and through 3/31/06, and then unless you come by with some cogent reasoning, it will be dismissed without prejudice. (Signed by Judge Harold Baer on 11/1/05) (kco, ) (Entered: 11/03/2005)
03/23/2006	36	ENDORSED LETTER: addressed to Judge Harold Baer from Winfield D. Ong dated 2/23/2006. ENDORSEMENT: The stay will be extended until 6/30 as requested unless the defendant, who has not consented and from whom I have not heard, objects within 10 days from today. (Signed by Judge Harold Baer on 3/22/2006) (lb, ) (Entered: 03/23/2006)
07/06/2006	37	ENDORSED LETTER addressed to Judge Baer from Valerie Szczepanik dated 6/29/06: a ptc will be held Wed 7/26/06 at 3:00 pm. The parties shall confer beforehand on a pretrial schedule. (Signed by Judge Harold Baer on 7/6/06) (cd, ) (Entered: 07/06/2006)
07/25/2006	38	NOTICE OF APPEARANCE by David Stoelting on behalf of Securities and Exchange Commission. (jar, ) (Entered: 07/26/2006)
07/25/2006	39	NOTICE OF APPEARANCE by Linda Lai-king Arnold on behalf of Securities and Exchange Commission. (jar, ) (Entered: 07/26/2006)
07/27/2006	40	PRETRIAL SCHEDULING ORDER: Joinder of Parties due by 9/30/2006. No party may make a Dispositive Motion returnable after 3/1/2007. All Discovery, except for expert discovery due by 1/15/2007. Joint Pretrial Order due by 5/10/2007. (Signed by Judge Harold Baer on 7/26/2006) (lb, ) (Entered: 07/28/2006)
10/27/2006	41	ENDORSED LETTER addressed to Judge Harold Baer, Jr. from Christopher B. Weldon, Esq. dated 10/20/06 re: dft's requests for an extension of time to respond or object to plaintiff's First Requests for Production of Documents and Plaintiff's First Set of Interrogatories; I presume you have your PTISO under your pillow and realize (A) we have a May trial and (B) I need 60 days for any decision on any dispositive motion bearing this in mind and understanding that we will be on trial in May - no matter what - the extension is acceptable otherwise you best consider alternatives including a look at FRCP 37. (Signed by Judge Harold Baer on 10/26/06) (pl, ) (Entered: 10/30/2006)
12/04/2006	42	MOTION of Christopher B. Weldon to Withdraw his appearance on behalf of defendant Timothy Harcharik. Document filed by Timothy Harcharik. Return Date set for 12/22/2006 09:30 AM. (jmi, ) (Entered: 12/06/2006)
12/15/2006	43	MEMORANDUM OF LAW in Opposition re: [42] MOTION to Withdraw.. Document filed by Securities and Exchange Commission. (jmi, ) (Entered: 12/20/2006)
12/20/2006	44	REPLY AFFIDAVIT of Christopher B. Weldon, Esq. in Support re: [42] MOTION to Withdraw. Document filed by Timothy Harcharik. (dle, ) (Entered: 12/22/2006)
01/09/2007	45	ORDER; re: granting [42] MOTION to Withdraw. filed by Timothy Harcharik, (Signed by Judge Harold Baer on 1/8/07) (pl, ) (Entered: 01/10/2007)
01/10/2007	46	STIPULATION AND ORDER; Discovery extended to 2/9/2007. The pretrial scheduling order dated 7/26/06 will otherwise remain in effect. Endorsement: I have signed this order but I await preferably this week and no later than Tuesday, 1/16/07 the schedule we agreed (with dates of depositions) would be forthcoming. (Signed by Judge Harold Baer on 1/8/07) (pl, ) (Entered: 01/10/2007)
01/18/2007	47	NOTICE OF APPEARANCE by Timothy Harcharik (Pro-Se). (db) (Entered: 01/25/2007)
01/22/2007	48	NOTICE OF APPEARANCE by Timothy Harcharik and th at allfuture correspondence and papers in connection with this action be directed to him. 127 Northland Street, Fishers, Indiana 46038. (djc) (Entered: 01/29/2007)
01/25/2007	49	SUPPLEMENTAL AFFIDAVIT of Timothy Harcharik re withdrawal of attorney Christopher Wedon and Lustig & Brown for deft Harcharik. Document filed by Timothy Harcharik. (cd) (Entered: 01/29/2007)
02/09/2007	50	MOTION to Compel Additional Testimony from deft John Delaney, purs. to Rules 45, 30(a)(2)(B), and 30(d)(2) of the F.R.C.P. Document filed by Timothy Harcharik.(sn) (Entered: 02/16/2007)
02/27/2007	51	ENDORSED LETTER addressed to Judge Harold Baer from David Stoelting dated 2/20/07 re: counsel for plaintiff requests that the court set a trial date for May. Based on a reading of all the papers - including the Harcharik motion, the letter from Stoelting, the Hulka affidavit - it appears movant had ample opportunities to examine the records and more than the allowed (w/o court's permission) time to ask questions. It occurs to me that with the May trial date fast approaching Harcharik may be looking for more time - let me assure all parties this will not happen - at least w/o some disaster befalling us all - and the motion to further question Delaney is denied. (Signed by Judge Harold Baer on 2/26/07) (dle) (Entered: 03/01/2007)
03/01/2007	52	NOTICE OF MOTION for Summary Judgment pursuant to Rule 56 FRCP and Rule 56.1 of the Local Rules of Civ. Procedure for the S.D.N.Y., granting summary judgment dismissing all claims against Timothy Harcharik. Document filed by Timothy Harcharik.(rag) (Entered: 03/05/2007)
03/01/2007	53	MEMORANDUM OF LAW in Support re: [52] MOTION for Summary Judgment.. Document filed by Timothy Harcharik. (rag) (Entered: 03/05/2007)



03/13/2007	54	ENDORSED LETTER addressed to Judge Harold Baer from Timothy C. Harcharik dated 3/1/07. ENDORSEMENT: I am glad my Clerk was able to tell you what fully briefed means it does seem you might have called before the deadline- which by the way is a deadline-as to having to file motion for summary judgment before discovery is over-this likely comes from an extension you or your adversary sought. In any event you have filed your papers which don't come to us until they are fully briefed. The SEC will answer Monday 3/20 and your reply will be due Monday 3/27 and thus the motion will be fully briefed. I will have somewhat less than 60 days to decide and we will go to trial in May even if I can't reach it-albeit I will try my best-if anything you don't get call. (Signed by Judge Harold Baer on 3/12/07) (js) (Entered: 03/14/2007)
03/14/2007	55	ENDORSED LETTER addressed to Judge Harold Baer from David Stoelting dated 3/13/07 re: We request an additional week to serve our opposition papers, so that the SEC's opposition would be served on tuesday, March 27, and Mr. Harcharik's reply would be served on tuesday April 3. ENDORSEMENT: I need 60 days as you well know for motions I assure you that if I don't reach yours we will be on trial in May anyway that said 3/27/07 is ok with me. (Signed by Judge Harold Baer on 3/14/07) (js) (Entered: 03/15/2007)
03/14/2007		Set Deadlines/Hearings: Replies due by 4/3/2007., Responses due by 3/27/2007 (js) (Entered: 03/15/2007)
03/15/2007	56	LETTER addressed to Judge Harold Baer from Timothy C. Harcharik dated 3/8/07 re: Pro Se Deft. Tim Harcharik writes in response to Mr. Stoelting's written response to the court requesting that my Motion for Summary Judgment, or the request for a motion, be denied. Document filed by Timothy Harcharik.(ae) (Entered: 03/19/2007)
03/30/2007	57	ENDORSED LETTER addressed to Judge Harold Baer from Timothy Harcharik dated 3/28/07 re: pro se dft Harcharik requests that the court permit him until 4/10/07 in order to submit his response to summary judgment motion. This is a May trial so the likelihood of reaching the motion is already remote and obviously prejudices the movant. You will just add to that prejudice if you take longer - you nonetheless since its unlikely without 60 days that I will decide it before trial you may as well make it even less likely and take until 4/10/07. (Signed by Judge Harold Baer on 3/29/07) (dle) (Entered: 04/03/2007)
03/30/2007		Set/Reset Deadlines as to [52] MOTION for Summary Judgment Replies due by 4/10/2007. (dle) (Entered: 04/03/2007)
04/10/2007	58	Defendant Harcharik's REPLY to plaintiff Securities and Exchange Commission's Responses to Defendant Harcharik's rule 56.1 statement. (jpo) (Entered: 04/12/2007)
04/10/2007	59	Defendant Harcharik's REPLY to plaintiff Securities and Exchange Commission's Memorandum of Law in opposition of defendant Harcharik's motion for summary judgment. Document filed by Timothy Harcharik. (jpo) (Entered: 04/12/2007)
04/10/2007	60	REPLY DECLARATION of Timothy Harcharik in Further Support re: [52] MOTION for Summary Judgment. Document filed by Timothy Harcharik. (tro) (Entered: 04/12/2007)
04/18/2007	61	ORDER; the defendant in his motion for summary judgment appears to rely on what may or may not be proven at trial...; Further, while it is beyond peradventure that fraud allegations must be plead with particularity, I find there is enough in this complaint to sustain those claims and the complaint. In short, the motion must be denied... and the Clerk is instructed to close and remove it from my docket. (Signed by Judge Harold Baer on 4/17/07) (djc) (Entered: 04/20/2007)
05/09/2007	62	MOTION for an Order, purs. to FRCP 15(d) and 18(a) for Supplemental Pleadings. Document filed by Timothy Harcharik.(tro) (Entered: 05/14/2007)
05/18/2007	63	MEMORANDUM OF LAW in Opposition re: [62] MOTION Supplemental Pleadings. Document filed by Securities and Exchange Commission. (tro) (Entered: 05/21/2007)
05/21/2007		Minute Entry for proceedings held before Judge Harold Baer : Jury Trial began on 5/21/2007. (tro) (Entered: 06/04/2007)
05/22/2007		Minute Entry for proceedings held before Judge Harold Baer : Jury Trial held on 5/22/2007. (tro) (Entered: 07/13/2007)
05/23/2007		Minute Entry for proceedings held before Judge Harold Baer : Jury Trial held on 5/23/2007. (tro) (Entered: 07/13/2007)
05/24/2007		Minute Entry for proceedings held before Judge Harold Baer : Jury Trial held on 5/24/2007. (tro) (Entered: 07/13/2007)
05/25/2007		Minute Entry for proceedings held before Judge Harold Baer : Jury Trial completed on 5/25/2007. (tro) (Entered: 07/13/2007)
05/25/2007		JURY VERDICT in favor of Securities and Exchange Commission against Timothy Harcharik.(tro) (Entered: 07/13/2007)
06/07/2007	64	POST-TRIAL BRIEF RECOMMENDING INJUNCTION RELIEF AND THIRD TIER CIVIL MONEY PENALTIES AGAINST DEFENDANT TIMOTHY HARCHARIK. Document filed by Securities and Exchange Commission.(jco) (Entered: 06/11/2007)
06/18/2007	65	REPLY to the SEC Brief Recommending Injunctive Relief and Third Tier Civil Money Penalties Against deft Timothy Harcharik. Document filed by Timothy Harcharik. (cd) (Entered: 06/21/2007)
06/20/2007	66	ORDER that Defendant Harcharik will keep confidential the documents for which Brightpoint has applied for a Protective Order, and not disclose those documents to other parties, during the pendency of this action. Further decision on the disposition of these documents, including a decision as to sealing, may be provided at the completion of this litigation. SO ORDERED. (Signed by Judge Harold Baer on 6/19/2007) (jmi) (Entered: 06/22/2007)
07/06/2007	67	JUDGMENT #07,1268 in favor of Securities and Exchange Commission against Timothy Harcharik in the amount of \$ 50,000.00 as a civil penalty. (Signed by Judge Harold Baer on 7/2/07) (ml) (Entered: 07/06/2007)

07/10/2007		Mailed notice of Right to Appeal re: [67] Judgment to Pro Se Litigant(s): Timothy Harcharik and to Attorney(s) of Record: Linda Lai-king Arnold, Wayne M. Carlin, Ken Christian Joseph, Winfield Denton Ong, Eva Marie Saketkoo, David Stoelting, Valerie Ann Szczepanik, Christopher B. Weldon. (tve) (Entered: 09/11/2007)
07/23/2007	68	TRANSCRIPT of proceedings held on 05/21,22,23,24,25/07 before Judge Harold Baer. (es) (Entered: 07/23/2007)
07/25/2007	69	TRANSCRIPT of proceedings held on June 25, 2007 before Judge Harold Baer. (gca) (Entered: 07/25/2007)
08/15/2007	70	ENDORSED LETTER addressed to Harold Baer from Leonard D. Steinman dated 8/8/2007 re: requesting clarification as to whether the Court intended for the June 19, 2007 Order to continue until Mr. Harcharik's appeal (if any) is decided or whether the issues are now ripe for determination and, if the latter, request that the Court continue Mr. Harcharik's confidentiality obligations until such determination.. ENDORSEMENT: If he has appealed it continues, if he has not, submit an Order or Notice. (Signed by Judge Harold Baer on 8/14/2007) (jpo) (Entered: 08/16/2007)
08/23/2007	71	NOTICE OF APPEAL from [67] Judgment. Document filed by Timothy Harcharik. Copies mailed to the attorneys of record: Securities & Exchange Commission. (dt) (Entered: 09/27/2007)
08/23/2007		Appeal Remark as to [71] Notice of Appeal filed by Timothy Harcharik. I.F.P. GRANTED 9/17/07. (dt) (Entered: 09/27/2007)
08/23/2007	72	MOTION for Leave to Proceed in forma pauperis. Document filed by Timothy Harcharik.(db) (Entered: 09/27/2007)
09/21/2007		ORDER granting [72] Motion for Leave to Proceed in forma pauperis. ENDORSEMENT: The applicant has some assets but they are heavily mortgaged on or are loans outstanding, e.g., car, and should be allowed to proceed in this manner and it appears to be taken in good faith. (Signed by Judge Harold Baer on 9/17/07) (db) (Entered: 09/27/2007)
09/27/2007		Transmission of Notice of Appeal to the District Judge re: [71] Notice of Appeal. (dt) (Entered: 09/27/2007)
09/28/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [71] Notice of Appeal. (tp) (Entered: 09/28/2007)